

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Modification of Licenses held by	)	File Nos.
	)	
<b>Iridium Constellation, LLC and</b>	)	SAT-MSC-20030515-00089
<b>Iridium, US LP</b>	)	SES-MSC-20030515-00666
	)	
For a Mobile Satellite System in the 1.6 GHz	)	
Frequency Band	)	

**ORDER TO SHOW CAUSE**

Adopted: May 16, 2003

Released: May 16, 2003

By the Deputy Chief, Satellite Division, International Bureau:

**I. INTRODUCTION**

1. In this Order, we find that permitting Iridium Constellation, LLC and Iridium, US LP (collectively "Iridium") to operate its "Big LEO" mobile-satellite service (MSS) system on 2.5 megahertz of additional spectrum for a one-month period will further important public interest requirements by supporting stated communications needs of U.S. forces in Iraq and the Middle East region. We therefore propose to modify Iridium's space station and earth station licenses pursuant to Section 316(a) of the Communications Act, 47 U.S.C. §316(a), to authorize operations on these additional frequencies through June 12, 2003. Any other licensee that believes its license would be modified by this proposed action may file a protest on or before May 23, 2003.

**II. BACKGROUND**

2. Iridium holds a license for a Big LEO MSS system that is authorized to operate in the 1621.35-1626.5 MHz frequency band.<sup>1</sup> It also holds a license for mobile user terminals that operate in the same band.<sup>2</sup> In April and May 2003, Iridium filed a series of requests for special temporary authority (STA) to expand its operations into the

<sup>1</sup> *Motorola Satellite Communications, Inc.*, 10 FCC Rcd 2268 (1995), *corrected* 10 FCC Rcd 3925 (1995), *affirmed in part and modified*, 11 FCC Rcd 18502 (1996).

<sup>2</sup> *U.S. Leo Services, Inc.*, 11 FCC Rcd 20474 (Int. Bur. 1996).

1618.85-1621.35 MHz frequency band.<sup>3</sup> Another MSS system, Globalstar, L.P., is licensed to operate on these frequencies (Globalstar channels 8 and 9). Because granting the STAs allowed Iridium to meet stated requirements to support U.S. Government and Coalition Forces in the Middle East region and because there was no evidence that Iridium operations in this band would degrade Globalstar's operations, we granted each of Iridium's STA requests.<sup>4</sup>

3. On May 9, 2003, Iridium filed a request for an extension of its STA until June 12, 2003.<sup>5</sup> Iridium states that it is still experiencing extraordinarily high levels of demand for its service in the Middle East region, predominantly from U.S. Government and Coalition Forces, and that the extension will allow it to continue to meet these needs. The U.S. Department of Defense filed a letter supporting Iridium's request.<sup>6</sup> It states that it has noted improved system performance since Iridium has been operating on the additional spectrum and that it anticipates needing to make "continued heavy usage of Iridium satellite system capabilities in the near-term" for "mobile time-sensitive communications." Globalstar opposes any extension of the STA. Globalstar indicates that it has experienced degradation in service that it believes may be attributable to Iridium's operations<sup>7</sup>

### III. DISCUSSION

4. Pursuant to Section 316(a) of the Communications Act, 47 U.S.C. §316(a), we propose to modify Iridium's space and earth station licenses for its 1.6 GHz MSS system license to allow it to operate in the 1618.85-1621.35 MHz frequency band until June 12, 2003. The Defense Information Systems Agency has expressly stated that U.S. ground forces remain engaged in operations in the Middle East region to stabilize the situation in Iraq and that these operations include support to the Office of

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<sup>3</sup> See letter from Jennifer D. Hindin, Counsel, Iridium to Thomas S. Tycz, Chief, Satellite Division, FCC (Apr. 14, 2003); letter from Peter D. Shields, Counsel, Iridium to Thomas S. Tycz, Chief, Satellite Division, FCC (Apr. 25, 2003); and Iridium Request for Special Temporary Authority to Provide MSS in the 1618.85-1620.10 MHz Frequency Band Until May 13, 2003 (filed May 2, 2003).

<sup>4</sup> See File Nos. SAT-STA-20030414 (granted in part on April 11, 2003 and in full on April 14, 2003); SAT-STA-20030425-00074 (granted verbally on April 25, 2003); and SAT-STA-20030502-00077 (granted on May 13, 2003). Globalstar consented to each of Iridium's requests except for the one requesting authority to operate on Globalstar's Channel 8 from May 2, 2003 through May 13, 2003. Globalstar, however, did not raise any interference issues with respect to Iridium's operations on Channel 8. See letter from William F. Adler, Vice President – Legal and Regulatory Affairs, Globalstar L.P., to Thomas S. Tycz, Chief, Satellite Division, FCC (May 1, 2003).

<sup>5</sup> Letter from Peter D. Shields, Counsel, Iridium, to Thomas S. Tycz, Chief, Satellite Division, FCC (May 9, 2003).

<sup>6</sup> Letter from Carl Wayne Smith, General Counsel, Defense Information Systems Agency, to Karl Nebbia, Deputy Associate Administrator, National Telecommunications and Information Administration (May 13, 2003).

<sup>7</sup> Letter from William F. Adler, Vice President – Legal and Regulatory Affairs, Globalstar, to Thomas S. Tycz, Chief, Satellite Division, FCC (May 13, 2003).

Rehabilitation and Humanitarian Assistance over the next month. It also states that it intends to use the Iridium system to satisfy these communications requirements. Accordingly, we believe that it will serve the public interest, convenience, and necessity to allow Iridium to continue to provide these essential communications services to support vital U.S. Government operations in this region for the next month.

5. Consequently, within the Middle East region, we propose to afford the Iridium satellite system equal operating status with the Globalstar satellite system in the 1618.85-1621.35 MHz frequency band through June 12, 2003. This would require Iridium and Globalstar to reconcile between themselves any interference issues between their two systems. In areas outside of the Middle East region, we propose to require Iridium to operate in these frequencies on a non-harmful interference basis only to the Globalstar system, and Iridium must reconcile any such reported interference to Globalstar. Further, any modification to the Iridium license will be without prejudice to Commission action in the Commission's ongoing rulemaking proceeding in IB Docket No. 02-364 ("Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite-Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands").

6. Finally, pursuant to Section 316(b) of the Communications Act, 47 U.S.C. §316(b), and Section 1.87(c) of the Commission's rules, 47 C.F.R. §1.87(c), we afford Globalstar and any other similarly affected licensees and opportunity to protest this proposed modification. Because the proposed modification to Iridium's license involves safety of life and property, we require Globalstar, and any other licensee that believes its license would be modified by this proposed action, to file any protest by May 23, 2003.

#### IV. ORDERING CLAUSES

7. Accordingly, IT IS ORDERED, that pursuant to Section 316(a) of the Communications Act, 47 U.S.C. §316(a), Iridium Constellation LLC SHALL SHOW CAUSE why its 1.6 GHz mobile-satellite system space and earth station licenses should not be modified to specify expanded operations in the 1618.85-1621.35 MHz frequency band until June 12, 2003 under the conditions specified above.

8. IT IS FURTHER ORDERED, that pursuant to Section 1.87(a) of the Commission's Rules, 47 C.F.R. §1.87(a), Iridium, may, no later than May 23, 2003, file a written statement showing with particularity why its license should not be modified as proposed in this *Order to Show Cause*.

9. IT IS FURTHER ORDERED, that pursuant to Section 316(b) of the Communications Act, 47 U.S.C. §316(b), and Section 1.87(c) of the Commission's Rules, 47 C.F.R. §1.87(c), Globalstar LLC, or any other similarly situated licensee, may file a protest to the proposed modification of Iridium's license no later than May 23, 2003.

10. If the licensee or any other party raises a substantial and material question of fact, a hearing may be required to resolve such questions of fact pursuant to Section

1.87 of the Commission's rules. 47 C.F.R. §1.87. Upon review of the statements and/or additional information furnished, the Commission may grant the modification, deny the modification, or set the matter of modification for hearing. If no written statements are filed by May 23, 2003, the licensee will be deemed to have consented to a modification as proposed in this Order to Show Cause and a final Order will be issued if the modification is found to be in the public interest.

11. IT IS FURTHER ORDERED, that a copy of this Order to Show Cause shall be sent BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, to the following:

Iridium Constellation LLC  
1600 Wilson Blvd. Suite 1000  
Arlington, VA 22209-2594

Globalstar, L.P.  
3200 Zanker Road  
San Jose, CA 95134

12. For further information concerning this proceeding, contact Fern Jarmulnek, International Bureau (202) 418-0751.

FEDERAL COMMUNICATIONS COMMISSION

Cassandra C. Thomas  
Deputy Chief, Satellite Division  
International Bureau